



Testimony of Denise L. Nappier
Treasurer of the State of Connecticut

SUBMITTED TO THE ENERGY AND TECHNOLOGY COMMITTEE
FEBRUARY 3, 2011

Senator Fonfara, Representative Nardello, and members of the Energy and Technology Committee, thank you for the opportunity to offer testimony regarding **Raised Bill No. 6250, *An Act Concerning the Siting Council***.

Section 6 of the raised bill would amend the statutes governing certification proceedings before the Connecticut Siting Council to clarify that requests for reimbursement for expenses incurred by municipalities must be submitted after conclusion of a certification proceeding held before the Connecticut Siting Council. We support the proposed revisions.

By way of background, current law establishes a process by which municipalities that participate in certification proceedings before the Siting Council can request reimbursement of expenses incurred in connection with those proceedings. Funds for this purpose are held in a "Municipal Participation Account" funded by fees paid by utilities applying for a certificate of need. The current timeframe for submitting these applications is sixty (60) days from the onset of certification proceedings.

The administrative challenges presented by the timing set forth under current law are twofold. First, municipalities may only claim reimbursement for expenses actually incurred. So, to the extent that certification proceedings extend beyond 60 days from the commencement of the proceedings, municipalities may incur expenses for which they cannot claim reimbursement. Moreover, when more than one municipality is a party to a proceeding, there may be multiple claims for reimbursement, and State law requires that the monies in the Municipal Participation Account be evenly distributed. Second, any amounts remaining in the Municipal Participation Account must be returned to the applicant. Given the ambiguity over the timing of when these funds need to be returned, the Auditors of Public Accounts have suggested that the statute be clarified.

Section 6 of the raised bill would make clear that requests for reimbursement must be submitted within sixty (60) days after conclusion -- rather than after commencement -- of a certification proceeding. With this language, municipalities will be in a better position to claim reimbursement for expenses actually incurred, and the legislative intent of assisting municipalities that participate in the process would be better realized.

In addition, the raised bill would delete statutory language concerning amounts paid to municipalities in excess of what has been incurred. That language made sense only when towns were provided with funds up front and later substantiated the expenses. With the new wording in the raised bill, there would be no excess payments over what has been incurred because the Treasury would only make payments with proof that an expense had been incurred.

And last, but not least, there would be no fiscal impact associated with passage of this language.

For your information, we have worked together with Linda Roberts of the Connecticut Siting Council in crafting the proposed language, and she is in agreement with what is before you.

For all of these reasons, I ask for your favorable consideration of this bill.